

Permitting & Assistance Branch Staff Report
Solid Waste Facilities Permit Revision for the Potrero Hills Landfill
SWIS No. 48-AA-0075
February 2, 2012

Background Information, Analysis, and Findings:

This report was developed in response to the Solano County Local Enforcement Agency's (LEA) request for the Department of Resources Recycling and Recovery's (Department) concurrence on the issuance of a proposed Solid Waste Facilities Permit (SWFP) revision for the Potrero Hills Landfill, SWIS No. 48-AA-0075, located in Solano County and owned and operated by Potrero Hills Landfill, Inc. A copy of the proposed permit is attached. This report contains the Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was received on December 6, 2011. A new proposed permit was received on February 2, 2012. Action must be taken on this proposed permit no later than April 3, 2012. If no action is taken by April 3, 2012, the Department will be deemed to have concurred with the issuance of the proposed revised permit.

Proposed Changes

The following changes to the permit are being proposed:

	Current Permit (2006 SWFP)	Proposed Permit
5.e. Key Design Parameters	<p>Permitted Area: 320 acres</p> <p>Disposal footprint: 190 acres</p> <p>Total Refuse Capacity: 21,500,000 cubic yards</p> <p>Max. Elevation (Ft. MSL): 220</p> <p>Estimated Closure Date : June 2011</p>	<p>Permitted Area (in acres): 525.7</p> <p>Disposal footprint: 340 acres</p> <p>Remaining Capacity: 83.1 million cubic yards</p> <p>Max. Elevation (ft. MSL): 345*</p> <p>Estimated Closure Date: 2048</p> <p><i>*or such lesser amount as may be specified in any permit or other issued for the facility by another agency.</i></p>
12. Legal Description of Facility	The legal description for the Potrero Hills Landfill is Township 4N. Range 1W. Mount Diablo Basin & Meridian; Solano County Assessor's Parcel No. 0046-130-220	The Potrero Hills Landfill is located on approximately 525.7 acres in Section 4, 9, 10 of Township 4N. Range 1W. Mount Diablo Basin & Meridian
13. Findings	<p>a. This permit is consistent with the latest <u>Solano County Integrated Waste Management Plan</u>, revised November 1995, amended and approved by the CIWMB.</p> <p>b. The location of the facility is identified in the <u>Solano Countywide Siting Element and Non-disposal Facility Element</u>, pursuant to Public Resources Code (PRC), Section 50001(a).</p>	<p>a. This permit is consistent with the <u>Solano County Integrated Waste Management Plan</u>, revised November 1995, amended and approved by CalRecycle. The location of the facility is identified in the <u>Solano Countywide Siting Element</u>, pursuant to Public Resources Code (PRC), Section 50001 (a).</p> <p>b. This permit is consistent with the standards adopted by CalRecycle, pursuant to PRC 44010.</p>

	<p>c. This permit is consistent with the standards adopted by the CIWMB. pursuant to PRC 44010. Ongoing diversion programs to recover materials from the waste stream at the landfill include the diversion and recovery of yard wastes (composting program), metals, concrete and asphalt, biosolids sludge and residues, water treatment sludge and residues, treated auto shredded waste (TASW).</p> <p>d. The design and operation of the facility is consistent with the State Minimum Standards for Handling and Disposal as determined by the Enforcement Agency, pursuant to PRC 44009.</p> <p>e. The facility is in conformance with applicable fire protection standards as determined by the local fire protection district, in conformance with PRC Section 44151.</p> <p>f. Environmental Determination: The following documents have been prepared, processed and certified pursuant to the California Environmental Quality Act of 1970, as amended:</p> <p>i) <u>Draft and Final Solano Garbage Company Landfill/Potrero Hills Landfill, Inc. Landfill Combined Environmental Impact Report</u>, Jones & Stokes Associates, Inc. October 26, 1995 with responses dated April 16, 1996; certified on May 16, 1996 by the Solano County Planning Commission; State Clearinghouse No. 93033012.</p> <p>ii) <u>Draft and Final Potrero Hills Expansion Project Environmental Impact Report</u>, EDAW, Inc., certified by the Solano County Board of Supervisors on September 13, 2005. State Clearinghouse No. 2003032112.</p> <p>g. This facility is designated as a solid waste site in the Land Use and Circulation Element of the Solano County General Plan and the site and surrounding land use is compatible with the facility operation (PRC Section 50000.5(a) & (b). The Land Use and Circulation Element was adopted on 25 August 1992 with subsequent amendments.</p> <p>h. Conformance with Solano County Marsh Protection Program:</p>	<p>c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the Enforcement Agency, pursuant to PRC 44009.</p> <p>d. The Suisun Fire Department has determined that the facility is in conformance with applicable fire standards pursuant to PRC Section 44151.</p> <p>e. The following EIR documents describe and support the design and operation of this facility.</p> <p>i) <u>Draft and Final Solano Garbage Company Landfill Potrero Hills Landfill, Inc. Landfill Combined Environmental Impact Report</u>, certified by the Solano County Planning Commission on May 16, 1996: State Clearinghouse No. 993033012</p> <p>ii) <u>Draft and Final Potrero Hills Expansion Project Environmental Impact Report</u>, certified by the Solano County Board of Supervisors on June 9, 2009 State Clearinghouse No. 2003032112, a Notice of Determination was filed with the State Clearinghouse on October 26, 2010</p> <p>f. The operator has made proper notification to, and cooperates with Travis Air Force Base regarding the bird control program in conformance with 27 CCR, sections 20270 and 21600(b)(3)(A).</p>
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	<p>i) The facility is governed by the policies and regulations in the Suisun Marsh Local Protection Program (LPP). The project site and vicinity are within the Suisun Marsh upland habitat secondary area. The designation limits land use to agriculture. However, siting of a landfill In the Potrero Hills Secondary Marsh area is specifically allowed by the LPP provided that construction and operation of such facilities will not have significant adverse ecological or aesthetic impacts on the marsh.</p> <p>ii) The proposed changes in the operation of the facility will not have significant adverse ecological or aesthetic impacts on the marsh that cannot be mitigated to less than significant as determined in the Draft and Final Potrero Hills Expansion Project Environmental Impact Report, certified September 13, 2005 (report referenced in Section 13(f)). Implementation of the daily landfill operations proposed must comply with the Suisun Marsh LPP.</p> <p>The operator has made proper notification to, and cooperates with Travis Air Force Base regarding the bird control program in conformance with 27 CCR Sections 20270 and 21600(b)(3)(A).</p>	
14. Prohibitions	<p>a. The permittee is prohibited from accepting the following wastes at the site:</p> <p>Hazardous, infectious, friable asbestos or other wastes requiring special treatment or handling, except as described under the Waste Discharge Requirement (WDR Order No. 93-072 and subsequent revisions) and as described in the August 2006 Updated October 2006 Joint Technical Document (JTD).</p> <p>b. No regulated radioactive materials by the CA Department of Health Services — Radiological Health Branch will be allowed for disposal</p> <p>c. New operations may not begin without prior submittal of amendments to the August 2006 Updated October 2006 JTD, appropriate permit revision and modifications, and written approvals are received from the LEA. CIWMB. RWQCB San Francisco Bay Region, San Francisco Bay Air Quality Management District, San Francisco Bay Conservation and Development Commission (BCDC), Suisun Fire District, or other appropriate</p>	<p>a. The permittee is prohibited from accepting the following wastes at the site: Hazardous, radioactive material regulated by the CA Department of Public Health, friable asbestos, medical waste (as defined in Chapter 6.1, Division 20 of the Health and Safety Code), or other wastes requiring special treatment or handling, except as identified in the Joint Technical Document and approved amendments thereto and as approved by the enforcement agency and other federal, state, and local agencies with concurrent jurisdiction.</p> <p>b. Scavenging is not permitted by customers or employees at this site due to safety concerns</p> <p>c. Open burning shall not be permitted at the site.</p> <p>d. At no time shall the handling of prohibited wastes found at the site, as a result of illegal or other disposal activities, be done by persons inadequately equipped or trained for that purpose.</p>

	<p>agencies.</p> <p>d. Any handling or disposal of solid wastes which fails to adequately protect the environment or public health and safety may be prohibited by this permit in order to mitigate adverse environmental and public health impacts.</p> <p>e. Scavenging is not permitted by customers or employees at this site due to safety concerns</p> <p>f. Open burning shall not be permitted at the site.</p> <p>g. Disposal shall occur only in those areas as specified in the August 2006 Updated October 2006 JTD for the facility and as approved by all appropriate regulating agencies.</p> <p>h. At no time shall the handling of prohibited wastes found at the site as a result of illegal or other disposal activities be done by persons inadequately equipped or trained for that purpose.</p> <p>i. The operator shall not allow the standing water on covered fill areas.</p> <p>j. Additional prohibitions may be required upon notice from the CIWMB or the LEA</p>	<p>e. Disposal shall occur only in those areas as described in the September 2011 JTD and approved amendments thereto and as approved by all appropriate regulating agencies.</p> <p>f. New operations may not begin without prior submittal of amendments to the RFI, appropriate permit revision or modifications, and written approvals are received from the LEA and other appropriate agencies.</p>
15. Documents:	<p>Potrero Hills Landfill Joint Technical Document – August 2006 updated October 2006</p> <p>Waste Discharge Requirements Order No. 93-072. Regional Water Quality Control Board (RWQCB), San Francisco Bay, adopted 21 July, 1993</p> <p>Solano County Board of Supervisors, General Plan, Land Use and Circulation Element – August 1992</p> <p>Solano County Landfill Use Permit No. U-88-33, approved by Solano County Board of Supervisors on June 20, 1996, revised on September 13, 2005</p> <p>Bay Area Air Quality Management District. Permit to Operate Plant #2039 – Valid up to December 06 renewed annually</p> <p>Report of Composting Site Information, RSCI – April 1996</p> <p>Potrero Hills Final Closure Plans and Post</p>	<p>Potrero Hills Landfill Joint Technical Document - September 2011</p> <p>Preliminary Closure/Post Closure Maintenance Plan - September 2011</p> <p>Draft and Final Solano Garbage Company Landfill/Potrero Hills Landfill, Inc. Landfill combined Environmental Impact Report. State Clearinghouse No 1993033012 – May 1996</p> <p>Draft and Final Potrero Hills Expansion Project Environmental Impact Report. State Clearinghouse No 2003032112 – June 2009</p> <p>BCDC Permit No 3-10(M) - November 2010</p> <p>San Francisco Bay Area RWQCB Waste Discharge Requirements Order No. R2-2011-0032 – May 2011</p> <p>Solano County General Plan Land Use and Circulation Element – August 1992 updated November 2008</p>

	<p>Closure Maintenance Plan - September 2006</p> <p>Draft and Final Solano Garbage Company Landfill/Potrero Hills Landfill, Inc. Landfill combined Environmental Impact Report. Jones & Stokes Associates, State Clearinghouse No 93033012 – May 1996</p> <p>Draft and Final Potrero Hills Expansion Project Environmental Impact Report. State Clearinghouse No 2003032112 – September 2005</p> <p>Bay Area Air Quality Management District. Title V Permit – August 2003</p> <p>Potrero Hills Final Closure Plans and Post Closure Maintenance Plan - July 1996</p> <p>National Pollution Discharge Elimination System General Permit No CAS00001 (WDRS No97-03-DWQ) Regional Water Quality Control Board (RWQCB), San Francisco Bay - 1997</p>	<p>Solano County Landfill Use Permit No. U-88-33 – September 2005 updated June 2009</p> <p>Solano County March Development Permit No. 88-09 – September 2005 updated June 2009</p> <p>Bay Area AQMD Permit to Operate Plant #2039 – renewed annually</p> <p>Hazardous material Business Plan - 2007 reviewed annually</p>
16. Self Monitoring	<p>Results of all self-monitoring programs as described in the Joint Technical Document, will be reported as follows:</p> <ol style="list-style-type: none"> 1) Record of receipt of a Notice of Violation or any other legal enforcement action taken against the facility by any responsible regulatory agency 2) Report all complaints regarding the facility and the operator's actions taken in response to the complaint. Notify the LEA within one day of the action taken. Copies of all written complaints and each operator generated report for a verbal complaint regarding the Facility, and a summary of the operator's actions taken to resolve each complaint. 3) Notification of any significant injury to a worker, fire, spin, explosion, vehicle or equipment accident. 4) Calculate the types and quantities (in tons) of all materials, including ADC, entering the facility per day (including conversion factors used for any materials not weighed); the average tonnage per week (calculated over a 7 day period). 5) Quantity of solid waste disposed at the site (in tons). 6) Log nuisances complaints including the time, source (name of company if 	<p>The owner/ operator shall submit the results of all self-monitoring programs to the listed Agency within 25 days of the end of the reporting period or as otherwise specified.</p> <ol style="list-style-type: none"> 1) Record of receipt of a Notice of Violation or any other legal enforcement action taken against the facility by any responsible regulatory agency 2) Copies of all written/ oral complaints regarding this facility and a summary of the operator's actions taken to resolve each complaint. Include weather data if applicable. 3) The types and quantities (in tons) of all materials, entering the facility per day (including conversion factors used for any materials not weighed); include the average tonnage calculated over a 7 day period and ADC tonnage received and used per day 4) The types and quantities (in tons) of solid waste disposed at the site per day. 5) The number of vehicles entering the facility per day for both the landfill and compost facility 6) Log of special or unusual occurrences and nuisance conditions; i.e. accidents, injury, fires, explosions, hazardous waste

	<p>commercial source) type of feedstock, nuisance condition (i.e. odorous, windblown litter, other); final disposition of load (i.e. disposed it odorous, rejected, etc)</p> <p>7) Report the number and types of vehicles entering the Facility per day of operation to the landfill and compost facility.</p> <p>8) Log of special or unusual occurrences, i.e. accidents, injury, fires, explosions, hazardous waste incidents, unexpected shutdowns, etc and the operator's response to correct the problem; and litter pickup along Hwy. 12.</p> <p>9) Results of the hazardous waste load checking program, including quantities and types of hazardous wastes, medical wastes or otherwise prohibited wastes found in the waste stream and the disposition of these materials, and landfill gas monitoring program results.</p> <p>10) Daily monitoring of weather data: temperature, wind speed and direction, weather conditions.</p> <p>11) An employee Health & Safety Training log with names of attendees, names of trainers, dates of training, course descriptions, etc. shall be maintained and kept current.</p> <p>12) Topographic maps showing all filled areas of the facility. These shall be submitted as amendments to the facility's August 2006 Updated October 2006 JTD — Appendix AB</p> <p>13) Load checking training program</p> <p>14) Bird control reporting program</p> <p>15) Waste disposal report, including: quantity of disposed waste for the preceding year (in tons); total volume of waste capacity consumed as a result of waste disposal for the preceding year (in cubic yards); remaining waste disposal capacity for the permitted site (in cubic yards), remaining site life capacity, and the proposed post-closure land use.</p> <p>16) Submit mast current list of personnel responsible for the operation of this facility to the LEA. The list shall include emergency phone numbers, and addresses for the following personnel: Manager,</p>	<p>incidents, unexpected shutdowns, etc and the operators response to correct the problem. Include time of incident, source, final disposition of load, and weather data (temperature, wind speed, wind direction, weather condition)</p> <p>7) Results of the load checking program, including quantities and types of hazardous wastes. medical wastes or otherwise prohibited wastes found in the waste stream and the disposition of these materials</p> <p>8) Bird control reporting program</p> <p>9) Results of the landfill perimeter gas probe monitoring program</p> <p>10) Groundwater monitoring report</p> <p>11) Load check training program</p> <p>12) An employee Health & Safety Training log with names of attendees, names of trainers, dates of training, course descriptions, duration of training and other relevant information</p> <p>13) Annual Compliance Report which shall include: topographical map showing all filled areas of the facility, quantity of disposed waste for the preceding year in tons, total volume of waste capacity consumed as a result of waste disposal for the preceding year in cubic yards, remaining disposal capacity and site life capacity; fill sequencing plan for the forth coming year, and estimated closure date as of the date of information provided Additionally, submit the most current list of personnel responsible for the operation of this facility include: emergency phone numbers, addresses for the manager, compliance officer, security guards and duty supervisors, as applicable.</p> <p>14) Wet weather preparedness report/ winter operations plan</p>
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	<p>Compliance Officer, Security Guards and/or Duty Supervisors.</p> <p>17) Hazardous Business Plans</p> <p>18) Hazardous Materials Inventory</p>	
17. LEA Conditions	<p>(NOTE: LEA conditions listed here shall be in addition to conditions of other documents controlling operation of this facility, and do not take place of, or absolve from, compliance with such regulations or conditions)</p> <p>A. Requirements:</p> <p>1. The operator shall comply with all State Minimum Standards of Solid Waste Handling and Disposal.</p> <p>2. The operator shall comply with all federal, state and local requirements and enactments including all mitigation and monitoring measures developed in accordance with any certified environmental document filed pursuant to Public Resources Code Section (PRC) 21081.6, and all administrative/enforcement orders of all regulatory agencies with jurisdiction at this facility. Those requirements include but are not limited to the San Francisco Bay Air Management District, California Integrated Waste Management Board, San Francisco Bay Regional Water Quality Control Board, Suisun Fire District, San Francisco Bay Conservation and Development Commission (BCDC) or other appropriate agencies.</p> <p>3. Waste storage and disposal shall be done in accordance with Title 27 of the California Code of Regulations</p> <p>4. The operator shall comply with all notices issued by any responsible agency designated by the Lead Agency to monitor the mitigation measures contained in any of the documents referenced within this permit pursuant to PRC Section 21081.6.</p> <p>5. The operator shall maintain a daily log of special/unusual occurrences as required by Title 27 CCR 20510. This includes but it is not limited to, fires, earth slides, unusual and sudden settlement, injury and property damage accidents, explosions, discharge of hazardous or other waste not permitted, and flooding.</p> <p>6. In the event of emergencies due to</p>	<p>1. All design and operational features in the September 2011 JTD and approved amendments thereto shall be considered LEA conditions under this section of the permit.</p> <p>2. The operator shall comply with all State Minimum Standards of solid waste handling and disposal as specified in Title 27, California Code of Regulations.</p> <p>3. The LEA reserves the right to direct the operator to suspend or modify waste receiving and handling operations when deemed necessary due to an emergency, a potential health hazard, or the creation of a public nuisance.</p> <p>4. The operator shall maintain a log of special/unusual occurrences. This includes but it is not limited to, fires, earth slides, unusual and sudden settlement, injury and property damage accidents, explosions, and discharge of hazardous or other waste not permitted. Each log entry shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log shall be available to site personnel and the LEA at all times.</p> <p>5. If nuisance conditions arise from the use of sludge at the site, the LEA reserves the right to require more restrictions for the handling of sludge than those listed in WDR R2-R011-0032 and approved amendments thereto. .</p> <p>6. The maximum amount of solid waste accepted for disposal shall not exceed 4,330 tons per day or an average of 3,400 tons per day averaged over a 7 day week (7 day week means any consecutive 7 day period). This limit does not include compostable material, wood, scrap metals, recyclables, sludge with less than 50% moisture, ADC or beneficially used materials and inert material. Tonnage limits for these materials shall comply as stated in the September 2011 JTD and approved amendments thereto.</p> <p>7. The asphalt recycling operation and</p>

	<p>natural disasters such as floods, fires, heat or the presence of communicable diseases such as avian flu, etc., the facility operator shall work closely with the LEA to determine the receipt and accepted amount of impacted waste and the protocol for the handling and disposal of potentially contaminated material including animal carcasses.</p> <p>7. The operator shall handle sludge in accordance with WDR 93-072 issued by the San Francisco Bay Regional Water Quality Control Board.</p> <p>B. Provisions:</p> <p>1. The facility has a permitted capacity to receive for disposal an average of 3400 tons of solid waste per operating day averaged over a 7-day week (7-day week means any consecutive 7—day period). This limit does not include compostables, wood, scrap metals, sludge with less than 50% moisture, ADC or beneficially used materials and inerts. The maximum amount of solid waste accepted for disposal shall not exceed 4,330 tons per day. The facility shall not receive more than those amounts without first obtaining a revision to this Solid Waste Facilities Permit.</p> <p>2. The Facility footprint shall consist of 190 acres to support the disposal operations, as described in Drawing 10 of the August 2006 Updated October 2006 JTD. No changes and/or expansions to the approved footprint will be made without the revision of the permit.</p> <p>3. The operator shall maintain accurate daily records of the weight (tons) of solid waste received and disposed of.</p> <p>4. The operator shall calculate the types and quantities (in tons) of all materials entering the facility per day (including conversion factors used for any materials not weighed); the average tonnage per week (calculated over any consecutive 7-day period).</p> <p>5. Additional information concerning the design and operation of this facility shall be furnished on request to the LEA.</p> <p>6. A copy of this Permit shall be maintained at the facility and be made available at all times to facility and</p>	<p>concrete recovery and processing operations shall be conducted as described in the September 2011 JTD and approved amendments thereto. No more than 65,000 tons or 45,000 cubic yards of concrete and asphalt shall be stockpiled on-site at any time.</p> <p>8. Adequate lighting shall be provided for all work done after day light hours at the site. Lights shall be placed on an irregular pattern, shielded and pointed downward. A maximum of 7 portable lights may be used.</p> <p>9. Efforts shall be made to control the generation of windblown litter at the source. The active face area shall be maintained at the smallest practical size.</p> <p>10. During high wind episodes, identified using procedures in the Litter Management Plan of the September 2011 JTD and approved amendments thereto, the size of the active face area shall be reduced by more frequent placement of cover. The active face may be further reduced in size as determined by the LEA.</p> <p>11. The operator shall comply with the approved Litter Management Plan in the Sept. 2011 JTD and approved amendments thereto.</p> <p>12. When the facility is open 24 hours a day, the entire working face shall be covered with approved cover material at the close of business on Friday night. During non-24 hour operation days, the working face shall be covered with approved cover material at the end of the operation day.</p> <p>13. A Compliance Officer (CO) shall be designated to oversee the facility materials tracking system to prevent or eliminate any nuisance conditions including but not limited to odors, litter, dust, fires, vectors, etc. The CO or designee shall monitor landfilling operations, the receipt of wastes for disposal and recyclable materials, the load checking of waste, monitor and record wind and weather conditions throughout the hours of operation, noting times of day conditions, changes and modifications to site operations to prevent nuisance conditions, the status of all verbal and written complaints, oversee and be responsible for keeping the EA informed of any new techniques, products used or</p>
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	<p>enforcement agency personnel.</p> <p>7. All recyclable materials diverted from the waste stream shall be handled and stored as described in the August 2006 Updated October 2006 JTD for the site.</p> <p>8. Storage bins for all recyclable materials, including cardboard, newspaper, scrap metal, glass and aluminum shall not be filled beyond the top of the container or in a manner that will prevent any lid on a container from being closed before being emptied and taken for off-site reuse or recycling.</p> <p>9. Wood processing operations shall be conducted as described in the August 2006 Updated October 2006 JTD. The LEA reserves the right to require more frequent removal or processing of the wood wastes.</p> <p>10. The asphalt recycling operation and concrete recovery and processing operations shall be conducted as described in the August 2006 Updated October 2006 JTD. Concrete and asphalt shall be diverted from the waste stream and stockpiled on-site as described in the August 2006 Updated October 2006 JTD. No more than 65,000 tons or 45,000 cubic yards of concrete and asphalt shall be stockpiled on-site at any time.</p> <p>11. The number and types of vehicles entering the Facility (landfill and compost) per day of operation shall be recorded daily and made available on site to facility and enforcement agency personnel, as described in August 2006 Updated October 2006 JTD Section 5.1.2-Traffic Reporting.</p> <p>12. Vehicle batteries shall be collected and stored as described in the August 2006 Updated October 2006 JTD. No more than 120 batteries shall be stored on-site at any time, and pick up and removal for recycling purposes shall occur quarterly, or more frequently as needed.</p> <p>13. The LEA shall be provided access to inspect the waste load from any vehicle entering the site.</p> <p>14. The operator shall at all times provide adequate staffing to deal effectively and promptly with matters of operations at the site, as determined by the LEA.</p>	<p>changes in operation to prevent or eliminate nuisance conditions, and be responsible for providing and maintaining all records required by the EA to help identify any nuisance conditions at the site.</p> <p>14. Any change that would cause the design, including the footprint, or operation of the facility not to conform to the terms and conditions of this permit is prohibited. Any significant change, as determined by the LEA, would require a permit revision. In no case shall the operator implement any change without written approval by the LEA.</p> <p>15. Prior to use of any new ADC <u>not listed</u> in 27 CCR section 20690, the applicant shall submit a demonstration project description to the LEA for review and approval. Upon successful completion of the ADC demonstration project and upon concurrence by the LEA and CalRecycle, the operator may commence with the ADC use.</p> <p>16. The LEA reserves the right to direct the operator to conduct a load check of any vehicle entering the site and to observe the load check.</p> <p>17. All equipment components shall be maintained in good mechanical condition and properly operated to prevent nuisance conditions and hazards. Information as to the location of backup equipment shall be readily available at the site.</p> <p>18. The operator shall continue to monitor for potential leachate generation. Leachate generated shall be handled as described in the September 2011 JTD and approved amendments thereto.</p> <p>19. The operator shall submit copies of any violations or enforcement order between representatives of the facility and regulating agencies relating to the design, construction and operation of the landfill to the LEA.</p> <p>20. Any substantial changes to the quarterly perimeter gas probe monitoring program shall be submitted to the LEA for review and approval.</p> <p>21. The facility shall not be operated so as to cause public nuisance as determined by the LEA.</p>
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	<p>15. Facility personnel shall be properly outfitted to perform their specific job duties so as to ensure adequate protection of personal health and safety.</p> <p>16. The operator shall submit annually the most current list of responsible personnel for the operation of this facility to the LEA. This list shall include emergency phone numbers, home phone numbers, and addresses for the following persons: the Landfill Manager, the Compliance Officer, Se Engineer. Operations Manager. Security Guards and/or Duty Supervisors. The list shall be updated upon changes.</p> <p>17. Fencing and landscaping at the site shall be adequately maintained, as reasonably determined by the LEA, to reduce unsightliness.</p> <p>18. The operator shall property equip and maintain noise attenuation such as mufflers and spark arrestor devices as necessary on all combustion engines utilized at this facility. All equipment components shall be maintained in good mechanical condition and properly operated to prevent excessive noise levels and circumstances capable of starting accidental fires.</p> <p>19. Adequate lighting shall be provided for all work done after day light hours at the site. This would include the installation of lights for nighttime tipping, and work done at the drop-off center for recyclables. Lights shaft be placed on an irregular pattern, shielded and pointed downward.</p> <p>20. Waste Load Checking Program: The operator shall comply with the approved Waste Load Checking Program as described in the August 2006 Updated October 2006 JTD. Any change in this program must be approved by the LEA prior to implementation. The following specific conditions apply to the Waste Load Checking Program as described:</p> <p>a) The operator shall comply with Title 27 CCR Section 20870. Hazardous Wastes.</p> <p>b) The minimum number of random waste loads to be inspected weekly at this facility is two (2)</p> <p>c) Those landfill personnel involved in any element of the Waste Load Checking</p>	<p>22. Final closure and post-closure maintenance plans shall be submitted at least 2 years in advance of the projected closing of the landfill as required by Title 27 CCR.</p> <p>23. The permit is subject to review by the LEA and may be suspended revoked, or revised at any time for sufficient cause.</p> <p>24. Additional information concerning the design and operation of this facility shall be furnished upon request and within a reasonable time frame specified by the LEA.</p> <p>25. A copy of this Permit shall be maintained at the facility.</p>
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	<p>Program, including visual inspections of the public drop-off area or the landfill active working face, shall be properly trained for such purposes. Staff are to be retrained on an annual basis. The training program shall be submitted to the LEA for review and approval.</p> <p>d) Incidents of unlawful disposal of prohibited wastes shall be reported to the LEA quarterly as part of the Hazardous Waste Load Check Program reporting.</p> <p>e) Illegal or hazardous wastes found shall be properly handled and stored for subsequent pickup as described in the Hazardous Waste Load Checking Program.</p> <p>21. An adequate water supply for dust control and fire suppression must be available at all times during the operations of this facility. The water supply must be acceptable to the local fire jurisdiction and the LEA.</p> <p>22. At all times there shall be an adequate number and type of vehicles used for the compaction and placement of waste and earthen material at this facility. Information as to the location of backup equipment shall be readily available at the site.</p> <p>23. A drinking water supply and adequate toilet facilities shall be properly maintained at all times for employee use.</p> <p>24. The operator shall maintain adequate records of lengths and depths of cuts made in natural terrain where fill is placed, together with the depth to the groundwater table.</p> <p>25. The operator shall continue to monitor for potential leachate generation. Leachate generated shall be handled as described in the August 2006 Updated October 2006 JTD.</p> <p>26. Before the use of any new alternative cover material as allowed under Title 27 CCR, Section 20690. the applicant shall submit a project description for the proposed use to the Department of Resource Management (DRM), and the CIWMB for review and approval. Upon successful completion of an approved alternative daily cover pilot project and upon concurrence by the LEA, CIWMB</p>	
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	<p>and the RWQCB, the operator may commence with ongoing non-experimental alternative daily cover use.</p> <p>27. Non-hazardous contaminated soils may be disposed at the facility as allowed by Sari Francisco Bay Regional Water Quality Control Board, the Bay Area Air Quality Management District and the LEA</p> <p>28. Efforts shall be made to control the generation of windblown litter at the source. To control off-site windblown litter, the active face area shall be maintained at the smallest practical size and shall not exceed the dimensions given for peak waste disposal in the August 2006 Updated October 2006 JTD Section 1.3.4.</p> <p>29. During high wind episodes identified using procedures in the Litter Management Plan of the August Updated October 2006 JTD Appendix X and monitored by the Compliance Officer, the size of the active face area shall be reduced by more frequent placement of cover if the active face is susceptible to wind shear that would cause litter to be blown out from the active face The disposal area may be further reduced in size as determined by the LEA.</p> <p>30. Windblown litter must be controlled along the lanes used for pushing wastes by tractors from the unloading area to the active face. The Compliance Officer must designate the techniques to be used to block the wind and capture litter along these lanes. These lanes must be cleared wastes and the lane area shall receive daily cover when no wastes will be pushed down the lanes within an 8 hour period.</p> <p>31. The operator, as part of the responsibilities under Conditional Use Permit # 75, must check and pick up litter on a weekly basis, or more frequently if deemed necessary by Solano County from the collection area. In addition, the litter shall be picked up three times per week along Highway 12, between Walters Road and Nurse Slough Lane. The operator shall maintain a log of collection dates and times.</p> <p>32. The operator shall submit copies of all correspondence between representatives of the facility and regulating agencies relating to the design, construction, and operation of the landfill to the LEA.</p>	
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	<p>33. A quarterly methane monitoring program shall be implemented and maintained at the facility in accordance with Title 27 CCR Section 20918 et seq. Any substantial changes to the program shall be submitted to the DRM for review and approval.</p> <p>34. The operator shall submit an updated perimeter gas monitoring program to the LEA which contains a description of the revisions to the monitoring wells that will be in conformance with the requirements of Title 27 CCR. Section 20918 et. seq. The submittal will occur within 120 days of the adoption of this permit.</p> <p>35. The handling and management of sludge shall be conducted as described in the August 2006 Updated October 2006 JTD, and as approved by the Regional Water Quality Control Board WDR No 93-072. The LEA reserves the right to require more restrictions if nuisance conditions arise from the use of sludge at the site.</p> <p>36. This permit supersedes the solid waste facility permit 48-AA-0075 issued December 1996.</p> <p>37. During 24 hour operation days, waste material received and placed for disposal shall be covered with approved cover material on top and side of the landfill lift at least once every 24 hours, and the entire working face shall be covered with approved cover material at the close of business on Friday night. During 20 hour operation days, the working face shall be covered with approved cover material at the end of the operation day.</p> <p>C. Specifications:</p> <p>1. The LEA reserves the right to require additional measures as needed to adequately control nuisances resulting from solid waste facility operations.</p> <p>2. The facility shall not be operated so as to cause public nuisance as determined by the EA.</p> <p>3. The LEA reserves the right to suspend or modify waste receiving operations when deemed necessary due to an emergent or potential health hazard or the creation of public nuisance.</p>	
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	<p>4. A Compliance Officer (CO) shall be designated as specified in Conditional Use Permit (CUP) No 73 to oversee the facility materials tracking system to prevent or eliminate any nuisance conditions including but not limited to odors, litter, dust, tires, vectors, etc. The CO or designee shall monitor landfilling operations, the receipt of wastes for disposal and recyclable materials, the load checking of waste and inbound feedstock, the processing and the storage of all feedstock and compost, monitor and record wind and weather conditions throughout the hours of operation, noting times of day conditions, changes and modifications to site operations to prevent nuisance conditions, the status of all verbal and written complaints, oversee and be responsible for keeping the EA informed of any new techniques, products used or changes in operation to prevent or eliminate nuisance conditions, and be responsible <i>for</i> providing and maintaining all records required by the EA to help identify any nuisance conditions at the site.</p> <p>5. This facility shall comply with the Solano County Countywide Integrated Waste Management Plan and any future amendments or revisions to this plan.</p> <p>6. No expansion of the facility's operation shall commence until it is consistent with all environmental review and all required permits are obtained.</p> <p>7. The operator shall submit an application for revision to this SWFP for any proposed significant change in design or operation at least 180 days prior to the expected implementation of the design or operation as required by PRC Section 44004(b).</p> <p>8. Under no circumstances shall the operator make changes in operations without written approval of Solano County LEA. Any significant change as determined by the LEA will require a revision of this permit with concurrence by the CIWMB.</p> <p>9. All design and operational features in the August 2006 Updated October 2006 JTD shall be considered EA conditions under this section of the permit, unless otherwise contradicted by this permit document or indicated by the EA in a written document provided to the operator.</p>	
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	<p>10. Final Closure and post closure maintenance plans shall be submitted at least 2 years in advance of the projected closing any waste management unit as required by Title 27 CCR Section 21780 (d)(1).</p> <p>11. When 2 years of site life remains, a final closure plan shall be submitted and approved by the Solano County Planning Commission prior to the issuance of an extension or amendment of this permit.</p> <p>12. The permit is subject to review by the LEA and may be suspended at any time for sufficient cause, after hearing by the Healing Panel.</p>	
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Findings:

All of the submittals and findings required by Title 27, Section 21685 have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings are summarized in table below. The documents on which staff's findings are based have been provided to the Division Deputy Director with this Staff Report and are permanently maintained in the facility files maintained by the Department.

CCR Title 27 Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated December 6, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	The LEA completed a Five Year Permit Review on October 3, 2011, and provided a copy to the Department on December 6, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facilities Permit	The LEA submitted a proposed solid waste facilities permit on February 2, 2012.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on December 6, 2011, provided a finding that the facility is consistent with PRC 50001 and Waste Evaluation & Enforcement Branch (WEEB) in the Jurisdiction Product & Compliance Unit found the facility is identified in the Siting Facility Element and with the Countywide Integrated Waste Management Plan, as described in the memorandum dated, December 1, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

CCR Title 27 Sections	Findings	
21685(b)(5) Preliminary or Final Closure/ Postclosure Maintenance Plans Consistency with State Minimum Standards	The Closure and Facility Engineering Unit staff in the Engineering Support Branch found the Preliminary Closure/Postclosure Maintenance Plan is consistent with State Minimum Standards as described in their memorandum dated October 19, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b) (7) (A) Financial Assurances Documentation Compliance	The Financial Assurances Unit staff in the Permitting & Assistance Branch found the Financial Assurances Documentation in compliance as described in their memorandum dated December 29, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(7)(B) Operating Liability Compliance	The Financial Assurances Unit staff in the Permitting & Assistance Branch found the Operating Liability in compliance as described in their memorandum dated December 29, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on December 6, 2011. See compliance history below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on December 6, 2011, that the proposed permit is consistent with and supported by the existing CEQA documentation. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Informational Meeting was held by the LEA on November 2, 2011. Oral and written comments were received by the LEA staff. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project, a proposed revised Solid Waste Facilities Permit. Permits staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed revised permit. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance History:

The facility was inspected by WEEB staff in the Inspections and Enforcement Agency Compliance Unit on December 6, 2011. No violations were noted.

Below are the details of the landfill's compliance history based on the LEA's monthly inspection reports during the last five years.

- 2011 (January through November) – one violation of 20680 – Daily Cover, one violation of 20690 – Alternative Daily Cover, one violation of 20790 – Leachate Control, one violation of 20820 – Drainage and Erosion Control, and one violation of 20830 - Litter Control.

- 2008 through 2010 – no violations were noted.
- 2007 – one violation of 20760 – Nuisance Control and two violations of 20830 – Litter Control.

All violations were corrected to the satisfaction of the LEA.

Project History/Environmental Analysis:

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed revised SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the lead agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The following is a partial history of the project and related actions:

On November 24, 2003, the Solano County Department of Environmental Management, acting as lead agency for the California Environmental Quality Act (CEQA), released the Draft Environmental Impact Report, State Clearinghouse (SCH) No. 2003032112, for the Potrero Hills Landfill Expansion Project (Draft EIR). The Draft EIR evaluated the environmental impacts associated with the proposed expansion of the Potrero Hills Landfill. The Draft EIR public review period ended on January 29, 2004. The Final EIR released on March 7, 2005. The Board of Supervisors certified the Final EIR on September 13, 2005. On December 27, 2006, the LEA issued a revised solid waste facilities permit for the landfill.

A CEQA challenge was filed in the Solano County Superior Court, on February 26, 2007. The Court issued its decision in the matter *Protect the Marsh v. County of Solano, et al.*, Case No. FCS026839, Solano County Superior Court, finding that the Final EIR was deficient with respect to three limited issues: air quality, water supply and alternatives.

Subsequently, the Solano County revised the water supply analysis, air quality analysis, and project alternative portions of the 2005 Final EIR as part of a Revised EIR and circulated the document for public comment. On June 10, 2008, the Solano County Board of Supervisors re-certified the EIR to address the deficient areas. This was the subject of a July 23, 2008, hearing in Solano County Superior Court. On October 14, 2008, the Court ordered the County to set aside the certification of the re-certified EIR and undertake further analysis of the "no project" alternative. In accordance with Public Resources Code Section 21092.1 and State CEQA Guidelines Section 15088.5, Solano County recirculated portions of the Recirculated Revised Final EIR. The Recirculated Revised Final EIR was certified by the Solano County Board of Supervisors on June 19, 2009. A Notice of Determination was filed with the State Clearinghouse on October 26, 2010.

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed revised SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the lead agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of

additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

Mitigation measures were made a part of the project approval. No unavoidable significant impacts were identified. In addition to developing a comprehensive Mitigation, Monitoring, and Reporting Plan to accompany the project, the County modified the project description and design features in response to comments raised during the review process.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the environmental document prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the permit.

Department staff further recommends the EIR is adequate for the Division Deputy Director's environmental evaluation of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed revised Solid Waste Facilities Permit and all of its components and supporting documentation, this staff report, the Environmental Impact Report certified by the Board of Supervisors, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed revised Solid Waste Facilities Permit. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Local Issues:

The project document availability, hearings, and associated meetings were extensively noticed consistent with the SWFP requirements. A review from the public process indicates that environmental justice issues were not identified by the surrounding community. Census information indicates that the surrounding population is approximately 44.4 % white, 19.3 % black or African American, 0.7 % American Indian/Alaska Native, 17.7% Asian, 1.1 % Native Hawaiian and other, 8.5% "some other race" and 8.3 % "two or more races". 17.8% of the total population described themselves as Hispanic or Latino. 6.5% of the families in the Census Tract were below the poverty level. Staff has not identified any environmental justice issues related to this item. Staff finds the project and permit process to be consistent with Government Code Section 65040.12, as there has been fair treatment of people of all races, cultures, and incomes with respect to the proposed action being recommended above.

Public Comments:

The proposed permit was discussed at a LEA conducted Public Informational Meeting held on November 2, 2011, at 1:30 pm at the Solano County Event Center, 601 Texas St., Fairfield, CA, 94533. Approximately 23 people attended the meeting. In addition to comments provided verbally at the Informational Meeting, written comments were also received by the LEA at the Informational Meeting, and later by mail, and by e-mail.

Attachment 1 is a table which summarizes the comments and the LEA response to them.

Department Staff Actions:

Staff responded to questions from the LEA regarding the permit process. Staff also commented on the CEQA documentation. The Department provided an opportunity for public comment during the Monthly Public Meetings.